



The State Bar of California  
Antitrust & Unfair Competition Law Section

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E I G H T E E N T H   A N N U A L

# Golden State Antitrust and Unfair Competition Law Institute

OCTOBER 24, 2008

**Millennium Biltmore Hotel**

506 South Grand Avenue  
Los Angeles, CA 90071-2607  
(213) 624-1011

**Featured Keynote Speaker**



Professor of Law, George Washington  
University and Best Selling Author  
**Jeffrey Rosen**

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# The State Bar of California Antitrust & Unfair Competition Law Section

## E I G H T E E N T H   A N N U A L   A N T I T R U S T

# Lawyer of the Year



**Mary Cranston**

The Antitrust and Unfair Competition Law Section of the State Bar of California is pleased to honor **Mary B. Cranston** as the 2008 Antitrust Lawyer of the Year.

Following her graduation from Stanford Law School in 1975, Ms. Cranston began her distinguished career by joining the firm then called Pillsbury, Madison & Sutro as one of its first female litigation associates. She has spent her entire career blazing trails at that firm, now called Pillsbury Winthrop Shaw Pittman, and in the antitrust field and the legal industry generally. Ms. Cranston was the first female litigation attorney promoted to partner at Pillsbury and one of the first female litigation partners anywhere in the nation. She later became the Chair of

Pillsbury, the first female chair of any major U. S. law firm, and served as Chair of Pillsbury longer than anyone at that firm during the past 40 years. This year, she becomes the first female Antitrust Lawyer of the Year in the 17-year history of this award.

Ms. Cranston has tried numerous high-profile antitrust cases and has been a trusted counselor over the years to many Fortune 100 firms, including Pacific Telesis, AirTouch, SBC, AT&T and Chevron. She is a fellow of the American College of Trial Lawyers, is ranked as one of the "100 Most Influential Lawyers in the U. S." by the National Law Journal and was named one of only five trial lawyers in San Francisco highly recommended by Global Counsel 3000. She has been selected numerous times as one of the "Top 100 Lawyers" in California. She is a past Chair of the Antitrust and Unfair Competition Law Section and a former Council member and officer of the American Bar Association Antitrust Section.

In addition to her lawyering and leadership skills, Ms. Cranston has been recognized nationally for her mentoring of younger lawyers, especially women. She is a recipient of the American Bar Association's distinguished Margaret Brent Award given to women lawyers who have excelled in their field and paved the way for other women lawyers. She was also honored with the Athena Award given annually to a California businesswoman for lifetime business achievement while also encouraging other women to achieve their full leadership potential. Ms. Cranston has spoken at numerous women's groups about visualizing success and achieving balance in all aspects of life. No other lawyer among us has done more to mentor and shape new generations of lawyers.

In the community, Ms. Cranston serves as a trustee of Stanford University and the San Francisco Ballet, as Chairman of the Commonwealth Club, and as a director of numerous public companies including VISA, Inc.

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# PROGRAM SCHEDULE

**7:30 a.m. – 8:20 a.m.**

**Registration & Breakfast**

(Breakfast sponsored by Gilardi & Company)

**8:20 a.m. – 8:30 a.m.**

**Welcome & Introduction**

**Elaine Foreman**

Section and Program Planning Chair; Director, Cisco Systems, Inc.

**8:30 a.m. – 10:00 a.m.**

**Update & Developments in Antitrust Law**

This panel will give an overview on the current state of antitrust law, focusing on recent decisions and trends, both at the federal and state level.

**Thomas A. Papageorge**

Head Deputy District Attorney for Consumer Protection, LA County District Attorney's Office

**Thomas Greene**

Chief Assistant Attorney General, California Department of Justice

**Professor Thomas E. Kauper (invited)**

Professor of Law, University of Michigan

**10:00 a.m. – 10:15 a.m.**

**Morning Break**

**10:15 a.m. – 10:45 a.m.**

**New Practitioner Series: Life as a Government Antitrust Attorney**

This year's Golden State Institute will include two sessions aimed at the new antitrust practitioner.

This program will feature panelists from the Federal Trade Commission and the Department of Justice's Antitrust Division who will talk about their careers in antitrust enforcement.

**Thomas N. Dahdouh**

Staff Attorney, Western Region – San Francisco, Federal Trade Commission

**Lara Kroop**

Trial Attorney, U.S. Department of Justice, Antitrust Division

**10:45 a.m. – 12:00 Noon**

**Cartel Enforcement**

In recent years, there have been increased actions against cartels. This panel will explore the trends in cartel enforcement, with a particular emphasis on high tech.

**Paula Blizzard**

Keker & Van Nest LLP

**Niall Lynch**

Assistant Chief, U.S. Department of Justice, Antitrust Division

**Gil Ohana**

Wilmer Cutler Pickering Hale and Dorr LLP

**Craig Waldman**

Cooley Godward Kronish LLP

**12:15 p.m. – 1:45 p.m.**

**Luncheon**

(Lunch sponsored by Winston and Strawn LLP)

We are honored to be joined by Professor Jeffrey Rosen, a professor of law at the George Washington University and the legal affairs editor of The New Republic.

Professor Rosen will discuss recent Supreme Court decisions and what we might expect from new court appointees.

**Jeffrey Rosen**

Professor of Law, George Washington University and Best Selling Author

**1:45 p.m. – 2:30 p.m.**

**New Practitioner Series — Happy Birthday Cartwright Act**

This year's Golden State Institute will include two sessions aimed at the new antitrust practitioner.

The Cartwright Act recently celebrated its 100<sup>th</sup> anniversary. Our panel will discuss the Cartwright Act's inception and jurisprudence, highlighting differences with federal law.

**Craig Corbitt**

Zelle Hofmann Voelbel Mason & Gette LLP

**Kathleen Foote**

Deputy Attorney General, Office of the Attorney General California Department of Justice

**Thomas S. Hixson**

Bingham McCutchen LLP

**2:30 p.m. – 3:45 p.m.**

**Bundled Pricing**

Recent cases, including LePage's and PeaceHealth, have changed the law on bundled pricing. This panel will discuss recent developments and how they impact your clients.

**Leel Peesapati**

Senior Counsel, Cisco Systems, Inc.

**Penelope Prevolos**

Morrison & Foerster LLP

**Harvey Saferstein**

Mintz Levin Cohn Ferris Glovsky and Popeo PC

**Anita Stork**

Covington & Burling LLP

**3:45 p.m. – 4:00 p.m.**

**Afternoon Break**

**4:00 p.m. – 5:15 p.m.**

**Antitrust Issues in the Entertainment Industry**

As cases in the entertainment and media industries have shown recently, antitrust is an issue for entertainment law practitioners and companies. This panel will discuss recent issues and trends.

**David Garcia**

Sheppard Mullin Richter & Hampton LLP

**Carol Handler**

Wildman, Harrold, Allen & Dixon LLP

**John Landry**

Heller Ehrman LLP

**Glenn Pomerantz**

Munger, Tolles & Olson LLP

**5:30 p.m. – 7:00 p.m.**

**Hosted Cocktail Reception**

Special Thanks to our Sponsors...



**7:00 p.m.**

**2008 Antitrust Lawyer of the Year Dinner and Award Program**

Honoring Mary Cranston

# Golden State Antitrust and Unfair Competition Law Institute

## Registration Information

### REGISTRATION ONLINE

[www.calbar.ca.gov/antitrust](http://www.calbar.ca.gov/antitrust)

### PRE-REGISTRATION BY MAIL

Your pre-registration must be received no later than October 10, 2008. Please send your completed registration form and check payable to The State Bar of California to:

**Program Registrations  
The State Bar of California  
180 Howard Street  
San Francisco, CA 94105-1639**

### PRE-REGISTRATION BY FAX

Please fax your pre-registration to Program Registrations at 415.538.2368 no later than October 10, 2008. Credit card information is mandatory. Do not mail originals.

### ON-SITE REGISTRATIONS

On-site registration opens at 8:00 a.m. and is subject to space availability.

### CANCELLATION/REFUNDS

Cancellations and request for refunds must be received in writing no later than October 10, 2008. Substitute registrants are allowed, but must register in their own name.

### MCLE CREDIT

The State Bar of California and the Antitrust and Unfair Competition Law Section are State Bar of California approved MCLE providers.

### SPECIAL ASSISTANCE

Please call 415.538.2594.

### QUESTIONS

For registration information, please call 415.538.2508. For program content/Section information, please call 415.538.2594.

### AUDIO CDs

Audio tapes of the program will be available with a complete set of program materials from Versa-Tape. To order, please call 800.468.2737.

## Luncheon Speaker



### Jeffrey Rosen

Professor of Law, George Washington University and Best Selling Author

Jeffrey Rosen is a professor of law at The George Washington University and the legal affairs editor of *The New Republic*. His most recent book is *The Supreme Court: The Personalities and Rivalries that Defined America*. He also is the author of *The Most Democratic Branch*, *The Naked Crowd*, and *The Unwanted Gaze*. Rosen is a graduate of Harvard College, summa cum laude; Oxford University, where he was a Marshall Scholar; and Yale Law School.

Professor Rosen's essays and commentaries have appeared in the *New York Times Magazine*, *The Atlantic Monthly*, on National Public Radio, and in *The New Yorker*, where he has been a staff writer. The *Chicago Tribune* named him one of the 10 best magazine journalists in America and the *L.A. Times* called him, "the nation's most widely read and influential legal commentator." Professor Rosen lives in Washington, D.C., with his wife Christine Rosen and two sons.

## Join the Antitrust & Unfair Competition Law Section

The Antitrust and Unfair Competition Law Section was established by the State Bar of California in 1981 for the purpose of furthering the knowledge of its members in federal and state antitrust and unfair competition law. The focus of the Section is on both litigation—including individual actions by competitors and class actions by direct/ indirect purchases, and the procedural aspects of such litigation—as well as antitrust counseling. It deals with both private and government (federal, state and local) enforcement actions, including government criminal procedures. The Section is governed by an Executive Committee appointed by the Board of Governors of the State Bar of California.

### SECTION MEMBERSHIP

There are no prerequisites to membership. All interested attorneys, judges, non-attorneys, paralegals, law students and out-of-state attorneys are invited to enroll in the Section.

### STANDING COMMITTEES

The Section has the following standing committees in which Section members are urged to participate:

- Education/Programs
- Legislation
- Publications/Journal

### JOURNAL

The Section publishes a periodic journal—*Competition*. Members who wish to author articles or assist with publications are encouraged to contact the Editor.

### PROGRAMS

The Section annually presents an MCLE-accredited Antitrust Institute, at which it confers the Antitrust Lawyer of the Year

Award, and a program on the Unfair Competition Law. It also sponsors educational programs at the Section Education Institute, the State Bar of California Annual Meeting, and through informal, "brown-bag" seminars throughout the year.

### MEMBERSHIP BENEFITS

- Free annual subscription to the Section journal
- *Competition* to keep members current on issues and developments
- Discounts on all Antitrust and Unfair Competition Law Section programs
- Discounts on any Section publications
- Opportunity to participate in Section and Committee activities
- Opportunity to meet other members of the Antitrust and Unfair Competition Law Section

**Visit [calbar.ca.gov/antitrust](http://calbar.ca.gov/antitrust) to join!**

# REGISTRATION FORM

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[www.calbar.ca.gov/antitrust](http://www.calbar.ca.gov/antitrust)

## THE EIGHTEENTH ANNUAL GOLDEN STATE ANTITRUST AND UNFAIR COMPETITION LAW INSTITUTE

October 24, 2008 – Los Angeles, CA

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E-mail: \_\_\_\_\_

(required for email confirmation)

Your name and address may be disclosed to other 2008 GSI attendees and exhibitors/vendors.

☐ Check here, if you do not want your information released.

## REGISTRATION FEES (please check appropriate box)

	By October 10, 2008	After October 10, 2008
<input type="checkbox"/> Full Day Institute & Dinner – Members	\$395	\$460
<input type="checkbox"/> Full Day Institute & Dinner – Non-members*	\$465	\$530

Institute ONLY	By October 10, 2008	After October 10, 2008
<input type="checkbox"/> Antitrust Section Member	\$325	\$375
<input type="checkbox"/> Non-Member*	\$400	\$450
<input type="checkbox"/> Government/Academic	\$125	\$125
<input type="checkbox"/> Student	\$50	\$50

\* Price includes 2009 Section Membership

### Sponsorship Opportunities

- ☐ GOLD Includes table for eight at dinner, 5 institute registrants, program attribution—\$3000
- ☐ SILVER Includes table for eight at dinner, 1 institute registrant, program attribution—\$1500
- ☐ BRONZE Program attribution ONLY, no dinner or registration in program—\$500

Lawyer of the Year Dinner ONLY	By October 10, 2008	After October 10, 2008
<input type="checkbox"/> Per Person	\$125	\$175
____ Additional Dinners	\$125	\$175
<input type="checkbox"/> Government/Academic	\$75	\$75
<input type="checkbox"/> Reserved Table for 8	\$1000	\$1200

**Program materials will be provided in electronic format. If you wish to view the program materials during the program, please bring a laptop. Subsequent or late submissions of program materials will be provided after the program at [www.calbar.ca.gov/antitrust](http://www.calbar.ca.gov/antitrust).**

## CREDIT CARD INFORMATION (mandatory if faxing registration)

I authorize The State Bar of California to charge my program registration and/or fees as noted above to my VISA or MasterCard account. (No other cards will be accepted)

Account Number: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

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If paying by check, please make check payable to The State Bar of California



**STATE BAR EDUCATION FOUNDATION**

*Antitrust Law Section*

180 Howard Street

San Francisco, CA 94105

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